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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 09/209,454

Applicant: TANAKA et al.

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TC/AU: 3622

Examiner: D. Lastra

Docket No.: 188125

Customer No.: 23548

Commissioner for Patents
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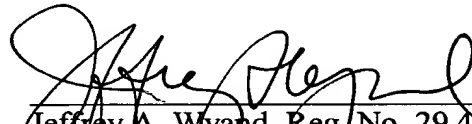
LETTER

Sir:

In response to the Substitute Examiner's Answer mailed September 22, 2006, Appellants have concluded that the Substitute Examiner's Answer is substantively identical to the original Examiner's Answer. Further, informal assurance has been received from the Board of Appeals and Interferences that the Reply Brief filed August 4, 2005 will be given due consideration and does not require re-filing.

Accordingly, Appellants intend to file no additional papers in the Appeal from the final rejection and request that the application file be promptly transmitted to the Board for an early decision.

Respectfully submitted,



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Date:

October 3, 2006

JAW:ves